

FILED '08 NOV 25 13:11 USDC-ORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

IRINA K. BENDER,

CV# 07-459-AA

Plaintiff,

v.

ORDER GRANTING
ATTORNEY FEES UNDER
42 U.S.C. § 406(b)

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Attorneys' fees in the amount of \$12,042.75 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds that this is a reasonable fee in light of the circumstances in this case. Previously, this court awarded Plaintiff attorney fees in the amount of \$5481.92 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the 406(b) check for payment to Plaintiff's attorney, the agency is directed to subtract the amount previously awarded under the EAJA and send Plaintiff's attorneys the balance of \$6560.83, minus any applicable processing fees as allowed by statute.

Dated this 25 day of November, 2008.



U.S. District Judge

Presented by:
Kimberly K. Tucker
Swanson, Thomas & Coon

ORDER GRANTING ATTORNEY FEES – 1